

MAIL DATE CANCELLED
OCT 16 2000
PATENT & TRADEMARK OFFICE

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Docket No. GER-100XC1

DECLARATION (37 CFR 1.63) AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name; and

I believe that I am the original, first, and sole inventor (if only one name is listed below), or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **Materials And Methods For The Efficient Production Of *Pasteuria***, specification for which

☐ is attached hereto.

☒ was filed August 10, 2000, Serial No. 09/636,185

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code §119 and/or §365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| Application Serial No | Country | Filing Date | Priority Claimed |
|--------------------------|---------|-------------|------------------|
|--------------------------|---------|-------------|------------------|

I hereby claim priority benefits under Title 35, United States Code §119 of any provisional application(s) for patent listed below:

| Application Serial No. | Filing Date | Priority Claimed |
|---------------------------|----------------|------------------|
| 60/148,154 | 10 August 1999 | Yes |

I hereby claim the benefit under Title 35, United States Code, §120 and/or §365 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| Application Serial No. | Filing Date | Status (Patented, Pending, Abandoned) |
|---------------------------|-------------|--|
|---------------------------|-------------|--|

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint the following persons registered to practice before the Patent and Trademark Office as my attorneys with full power of substitution and revocation to prosecute this application and all divisions and continuations thereof and to transact all business in the Patent and Trademark Office connected therewith: David R. Saliwanchik, Reg. No. 31,794; Jeff Lloyd, Reg. No. 35,589; Doran R. Pace, Reg. No. 38,261; Christine Q. McLeod, Reg. No. 36,213; Jay M. Sanders, Reg. No. 39,355; James S. Parker, Reg. No. 40,119; Frank C. Eisenschenk, Reg. No. 45,332; Jean Kyle, Reg. No. 36,987; Seth M. Blum, Reg. No. 45,489; Glenn P. Ladwig, Reg. No. P-46-853.

I request that all correspondence be sent to:

David R. Saliwanchik
2421 N.W. 41st Street, Suite A-1
Gainesville, FL 32606-6669

I further request that all telephone communications be directed to:

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352-375-8100

Name of First or Sole Inventor John F. Gerber

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Gainesville, FL 32605

John F. Gerber

Date 9-7-00

Signature of First or Sole Inventor

Name of Second Joint Inventor James H. White

Residence Gainesville, FL Citizenship United States

Post Office Address 2724 N.W. 58th Blvd.

Gainesville, FL 32606

J H White

Date 9-7-00

Signature of Second Joint Inventor

Name of Third Joint Inventor _____

Residence _____ Citizenship _____

Post Office Address _____

Date _____

Signature of Third Joint Inventor

Name of Fourth Joint Inventor _____

Residence _____ Citizenship _____

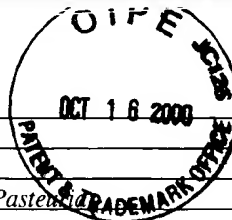
Post Office Address _____

Date _____

Signature of Fourth Joint Inventor

Applicant or Patentee John F. Gerber and James H. WhiteSerial No.: 09/636,185

Attorney's

Docket No. GER-100XC1Filed: August 10, 2000For: Materials And Methods For The Efficient Production Of PasteurizedMAIL DATE OCT 17 2000VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9 (f) and 1.27 (c)) - SMALL BUSINESS CONCERN

I hereby declare that I am

☐ the owner of the small business concern identified below:☒ an official of the small business concern empowered to act on behalf of the concern identified below:NAME OF CONCERN Entomos LLCADDRESS OF CONCERN 4445 S.W. 35th Terrace, Suite 310Gainesville, FL 32608

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9 (d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled Materials And Methods For The Efficient Production Of Pasteurized

by inventor(s) John F. Gerber and James H. Whitedescribed in:☐ the specification filed herewith☒ application serial no. 09/636,185, filed August 10, 2000☐ patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9 (d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring their status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change of status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING James H. WhiteTITLE OF PERSON OTHER THAN OWNER President and CEOADDRESS OF PERSON SIGNING 4445 S.W. 35th Terrace, Suite 310Gainesville, FL 32608SIGNATURE James H. WhiteDATE 9/7/00